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THE HIGH COURT OF DELHI AT NEW DELHI

TEST.CAS 42/2004

Judgment delivered on: 05.12.2005

SHRI VINAY NATH .... Petitioner

VERSUS

THE STATE .... Respondent

Advocate who appeared in this case:
For the Petitioner : Mr Gaurav Puri with Mr Dharmender Sherawat and Mr Vikas Tomar
For the Respondent : Mr Kishore M. Gajeria

CORAM:-
HON'BLE MR JUSTICE BADAR DURREZ AHMED

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporter or not?

3. Whether the judgment should be reported in Digest?

BADAR DURREZ AHMED, J (ORAL)

1. This is an application under Section 276 of the Indian Succession Act, 1925 for the grant of Letter of Administration in respect of the Estate of the deceased late Shri Om Prakash who remained a bachelor throughout in his life. The said late Shri Om Prakash had executed a Will being Exhibit PW1 and apparently it

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Certify that the digital file and physical file have been compared and the digital data is as per the physical file and no page is missing.

was executed in the presence of two witnesses one of them being Smt Manorama Devender Nath. The statement of the said Smt Manorama Devender Nath was recorded in court on 10.11.2005 wherein she has stated that the Will Exhibit PW1 was executed in her presence at the residence of the deceased testator, Om Prakash and that the latter had signed the same in her presence at points A,B and C. She further testified that she has signed as attesting witness at point D and she also stated that the testator, at that point of time, was in good state of heath and mind. No objections to the grant of the Letter of Administration in favour of the petitioner have been received. The details of the properties are specified in annexure D-1.

2. I have heard the learned counsel for the parties. I find that there is no impediment for the grant of Letter of Administration in respect of the properties specified above, in favour of the petitioner. Accordingly, this application is allowed. The letter of Administration be granted in favour of the petitioner.

BADAR DURREZ AHMED
(JUDGE)

December 05, 2005
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On office noting
For Acceptance of Advocate
and Surety Bond.